

FILED

AUG 15 2007

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK**United States District Court**Western

DISTRICT OF

Texas

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

CLINTON UDET PINCKERT

07-M-4032G

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 14, 2007 in El Paso county, in the Western District of Texas defendant did, (Track Statutory Language of Offense)

willfully interfere with, intent to endanger the safety of a person/persons or with a reckless disregard for the safety of human life, a person engaged in the authorized operation of such aircraft or any air navigation facility aiding in the navigation of any such aircraft; and willfully interfere with a flight crew member or attendant on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crew member or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties.

in violation of Title 18/49 United States Code, Section(s) 32(a)(5)/46504.

I further state that I am a Federal Air Marshal of the Transportation Security Administration and that this complaint is based on the following facts:

Official Title

See attached probable cause statement hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof:

☒ Yes☐ NoAUSA -**Juanita Fielden**

Sworn to before me and subscribed in my presence,

[Signature]
Signature of Complainant
Julius C. Matus
Federal Air Marshal
Joint Terrorism Task Force - FBI

August 15, 2007 at _____
Date

Norber J. Garney, United States Magistrate Judge

Name & Title of Judicial Officer

El Paso, Texas
City and State
[Signature]
Signature of Judicial Officer

PROBABLE CAUSE STATEMENT

1. I, Julius C. Matus, hereinafter referred to as Complainant, am a Federal Air Marshal with the Transportation Security Administration assigned to the El Paso Joint Terrorism Task Force, and assigned to investigate violations of Federal Criminal Law, to include offenses against aircraft.

2. On August 14, 2007, CLINTON UDET PINCKERT, aimed a laser, into the cockpit area of an aircraft flying over the vicinity of East El Paso, Texas.

3. On the evening of August 14, 2007, Complainant was contacted by FBI Supervisory Special Agent Ricardo J. Melendez via telephone. Complainant was informed that the El Paso Division pilot, SA Kirk Thomasson, had received information from the Federal Aviation Administration, El Paso International Airport Air Traffic Control Tower regarding a commercial aircraft being targeted with what appeared to be a green laser. The aircraft was flying in the area of East El Paso on the evening of August 14, 2007, at the time of the incident. Shortly after, SA Thomasson, while on duty in a government aircraft over the El Paso area, was subsequently target with a green laser.

4. Agents from the El Paso Division responded to the area of Clint, Texas, the area believed to be the source of the laser. Agents located the source of laser at 305 McKinney, Clint, Texas, CLINTON UDET PINCKERT. PINCKERT indicated that he possessed a laser and had been shining the laser at flashing lights on aircraft passing overhead to wit did willfully interfere with, intent to endanger the safety of a person/persons or with a reckless disregard for the safety of human life, a person engaged in the authorized operation of such aircraft or any air navigation facility aiding in the navigation of any such aircraft; and did willfully interfere with a flight crew member or attendant on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crew member or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties.